



Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

of

9

Complete if Known

Application Number

10/672,585

Filing Date

September 26, 2003

First Named Inventor

Gosselin, *et al.*

Group Art Unit

To be assigned

Examiner

To be assigned

Attorney Docket Number

18085.105102 EMU 120 CIP 3

3455881 1.DOC

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pgs, Clmns, Lns, Where Relevant Passages/Relevant Figs Appear
		Number	Kind Code (if known)			
AO	AA	3,116,282	A	Hunter, <i>et al.</i>	12-31-1963	
	AB	3,553,192	A	Gauri, <i>et al.</i>	01-05-1971	
	AC	4,000,137	A	Dvonoch, <i>et al.</i>	12-28-1976	
	AD	4,140,761	A	Gerin, <i>et al.</i>	02-20-1979	
	AE	4,336,381	A	Nagata, <i>et al.</i>	06-22-1982	
	AF	4,818,538	A	Rideout, <i>et al.</i>	04-04-1989	
	AG	4,861,759	A	Mitsuya, <i>et al.</i>	08-29-1989	
	AH	4,879,277	A	Mitsuya, <i>et al.</i>	11-07-1989	
	AI	4,900,828	A	Belica, <i>et al.</i>	02-13-1990	
	AJ	4,916,122	A	Chu, <i>et al.</i>	04-10-1990	
	AK	4,963,533	A	de Clercq, <i>et al.</i>	10-16-1990	
	AL	5,041,449	A	Belleau, <i>et al.</i>	08-20-1991	
	AM	5,047,407	A	Belleau, <i>et al.</i>	09-10-1991	
	AN	5,059,690	A	Zahler, <i>et al.</i>	10-22-1991	
	AO	5,089,500	A	Daluge	02-18-1992	
	AP	5,149,794	A	Yatvin, <i>et al.</i>	09-22-1992	
	AQ	5,151,426	A	Belleau, <i>et al.</i>	09-29-1992	
	AR	5,179,104	A	Chu, <i>et al.</i>	01-12-1993	
	AS	5,185,437	A	Koszalka, <i>et al.</i>	02-09-1993	
	AT	5,194,654	A	Hostetler, <i>et al.</i>	03-16-1993	
	AU	5,204,466	A	Liotta, <i>et al.</i>	04-20-1993	
	AV	5,210,085	A	Liotta, <i>et al.</i>	05-11-1993	
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	AX	5,234,913	A	Furman, Jr.	08-10-1993	
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	AAB	5,276,151	A	Liotta	01-04-1994	
	AAC	5,411,947	A	Hostetler, <i>et al.</i>	05-02-1995	
AO	AAD	5,444,063	A	Schinazi	08-22-1995	

Examiner
Signature

Date
Considered

12-6-04

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Submitted for form 1449/PTO <div style="border: 1px solid black; border-radius: 50%; padding: 10px; width: 100px; float: left; text-align: center;"> DIPE MAY 03 2004 PATENT & TRADEMARK OFFICE </div> <div style="clear: both;"></div> <div style="text-align: center; font-weight: bold;"> INFORMATION DISCLOSURE STATEMENT BY APPLICANT </div>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left; padding: 2px;">Complete if Known</th> </tr> <tr> <td style="width: 30%; padding: 2px;">Application Number</td> <td style="padding: 2px;">10/672,585</td> </tr> <tr> <td style="padding: 2px;">Filing Date</td> <td style="padding: 2px;">September 26, 2003</td> </tr> <tr> <td style="padding: 2px;">First Named Inventor</td> <td style="padding: 2px;">Gosselin, <i>et al.</i></td> </tr> <tr> <td style="padding: 2px;">Group Art Unit</td> <td style="padding: 2px;">Unassigned</td> </tr> <tr> <td style="padding: 2px;">Examiner Name</td> <td style="padding: 2px;">Unassigned</td> </tr> <tr> <td style="padding: 2px;">Attorney Docket Number</td> <td style="padding: 2px;">18085.105102 EMU 120 CIP 3</td> </tr> </table>		Complete if Known		Application Number	10/672,585	Filing Date	September 26, 2003	First Named Inventor	Gosselin, <i>et al.</i>	Group Art Unit	Unassigned	Examiner Name	Unassigned	Attorney Docket Number	18085.105102 EMU 120 CIP 3
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Sheet 2 of 9																	

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U.S. PATENT DOCUMENTS						
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		Number	Kind Code (if known)			
#0	BA	5,463,092	A	Hostetler, <i>et al.</i>	10-31-1995	
	BB	5,466,806	A	Belleau, <i>et al.</i>	11-14-1995	
	BC	5,486,520	A	Belleau, <i>et al.</i>	01-23-1996	
	BD	5,532,246	A	Belleau, <i>et al.</i>	07-02-1996	
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	BF	5,543,389	A	Yatvin, <i>et al.</i>	08-06-1996	
	BG	5,543,390	A	Yatvin, <i>et al.</i>	08-06-1996	
	BH	5,543,391	A	Yatvin, <i>et al.</i>	08-06-1996	
	BI	5,554,728	A	Basava, <i>et al.</i>	09-10-1996	
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	BK	5,587,480	A	Belleau, <i>et al.</i>	12-24-1996	
	BL	5,770,713	A	Imbach	06-23-1998	
	BM	5,770,725	A	Gosselin, <i>et al.</i>	06-23-1998	
	BN	5,849,905	A	Gosselin, <i>et al.</i>	12-15-1998	

FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document DD-MM-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number	Kind Code ² (if known)				
A	BO	EP	0 217 580	A2	Wellcome Foundation Ltd.	04-08-1987		
	BP	EP	0 285 884	A2	Bristol-Myers Company	10-12-1988		
	BQ	EP	0 337 713	B1	Biochem Pharma	10-18-1989		
	BR	EP	0 350 287	A2	Vical Inc.	01-10-1990		
	BS	EP	0 352 248	A1	Medivir Aktiebolag	01-24-1990		
	BT	EP	0 375 329	A2	Wellcome Foundation Ltd.	06-27-1990		
	BU	EP	0 382 526	A2	IAF Biochem International	08-16-1990		
	BV	EP	0 433 898	A2	Abbott Laboratories	06-26-1991		
	BW	EP	0 494 119	A1	IAF Biochem International	07-08-1992		
	BX	EP	0 515 144	A1	Biochem Pharma	11-25-1992		
	BY	EP	0 515 156	A1	Biochem Pharma	11-25-1992		
A	BZ	EP	0 515 157	A1	Biochem Pharma	11-25-1992		
	BAA	EP	0 526 253	A1	Biochem Pharma	02-03-1993		

Examiner Signature		Date Considered	12-6-04
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Submitted for form 1449/PTO

Complete if Known

Application Number	10/672,585
Filing Date	September 26, 2003
First Named Inventor	Gosselin, et al.
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	18085.105102 EMU 120 CIP 3

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Sheet 3 of 9

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FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document DD-MM-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number	Kind Code ² (if known)				
* A0	CA	WO	88/07532	A1	Nycomed	10-06-1988		
	CB	WO	88/08001	A1	Aktiebolaget Astra	10-20-1988		
	CC	WO	89/02733	A1	University of California	04-06-1989		
	CD	WO	90/00555	A1	Vical Inc.	01-25-1990		
	CE	WO	90/12023	A1	Walker; Jones	10-18-1990		
	CF	WO	91/11186	A1	Emory University	08-08-1991		
	CG	WO	91/16920	A1	Vical Inc.	11-14-1991		
	CH	WO	91/17159	A1	IAF Biochem International Inc.	11-14-1991		
	CI	WO	91/18914	A1	Vical Inc.	12-12-1991		
	CJ	WO	91/19721	A1	Glazier	12-26-1991		
	CK	WO	92/00315	A1	CNRS	01-09-1992		
	CL	WO	92/06102	A1	Medivir Aktiebolag	04-16-1992		
	CM	WO	92/08717	A1	IAF Biochem International Inc.	05-29-1992		
	CN	WO	92/08727	A1	Consiglio Nazionale delle Ricerche	05-29-1992		
	CO	WO	92/10496	A1	Univ. Georgia Res. Found.	06-25-1992		
	CP	WO	92/10497	A1	Univ. Georgia R.F.; Emory Univ.	06-25-1992		
	CQ	WO	92/14729	A1	Emory University	09-03-1992		
	CR	WO	92/14743	A2	Emory University	09-03-1992		
	CS	WO	92/15308	A1	Wellcome Foundation Ltd.	09-17-1992		
	CT	WO	92/18517	A1	Yale Univ.; Univ. Georgia R.F.	10-29-1992		
	CU	WO	92/21676	A1	Glaxo Group Ltd.	12-10-1992		
	CV	WO	93/00910	A1	Vical Inc.	01-21-1993		
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	CU	WO	94/05300	A1	Biochem Pharma Inc.	03-17-1994		
	CV	WO	94/09793	A1	Emory University	05-11-1994		

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James Lee

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		Office ³	Number	Kind Code ² (if known)				
* ↓ H0	DA	WO	94/14456	A1	Biochem Pharma Inc.	07-07-1994		
	DB	WO	94/14802	A1	Biochem Pharma Inc.	07-07-1994		
	DC	WO	94/26273	A1	Hostetler	11-24-1994		
	DD	WO	94/26764	A1	C.N.R.S.	11-24-1994		
	DE	WO	94/27616	A1	Yale University	12-08-1994		
	DF	WO	95/07086	A1	Emory; CNRS; UAB Res. Found.	03-16-1995		
	DG	WO	95/07287	A1	C.N.R.S.	03-16-1995		
	DH	WO	95/11252	A1	C.N.R.S.	04-27-1995		
	DI	WO	95/20595	A1	Univ. Georgia R. F.; Yale Univ.	08-03-1995		
	DJ	WO	96/15132	A1	University of California	05-23-1996		
	DK	WO	96/40164	A1	Emory; UAB Res. Found.; CNRS	12-19-1996		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ⁶
* ↓ H0	DL	ASSELINE, <i>et al.</i> , "Synthesis and Physicochemical Properties of Oligonucleotides built with either alpha-L or beta-L Nucleotides Units and Covalently Linked to an Acridine Derivative," <i>Nucleic Acids Res.</i> , 19 (15):4067-4074 (1991).		
	DM	AYOOLA, <i>et al.</i> , "Progress in the Control of Viral Hepatitis: Memorandum from a WHO Meeting," <i>Bulletin of the World Health Organization</i> , 66(4):443-455 (1988).		
	DN	BALZARINI, J., "Potent and selective anti-HTLV-III/LAV activity of 2',3'-dideoxycytidine, the 2',3'-unsaturated derivative of 2',3'-dideoxycytidine," <i>et al.</i> , <i>Biochem. Biophys. Res. Comm.</i> , 140(2): 735-742 (October 30, 1986).		
	DO	BEACH, J.W., <i>et al.</i> , "Synthesis of Enantiomerically Pure (2'R,5'S)-(-)-1-[2 (hydroxymethyl)-oathiolan-5-yl]Cytosine...", <i>J. Org. Chem.</i> , 57:2217-2219 (1992).		
	DP	BEASLEY, <i>et al.</i> , "Hepatocellular Carcinoma and Hepatitis B Virus," <i>The Lancet</i> , 1129-1133 (1981).		
	DQ	BELLEAU, B., <i>et al.</i> , "Design and Activity of a Novel Class of Nucleoside Analogs...", <i>Intl. Conf. on AIDS</i> , Montreal, Quebec, Canada, June 4-9, 1989.		
	DR	BOUTELJE, <i>et al.</i> , <i>Chemical Abstracts</i> , 108:128048 (1987).		
	DS	CARTER <i>et al.</i> , "Activities of (-)-carbovir and 3'-azido-3'-deoxythymidine against human immunodeficiency virus in vitro," <i>Antimicrob. Agents Chemother.</i> , 34(6):1297-1300 (June 1990).		

Examiner Signature	<i>Andreas</i>	Date Considered	12-6-04
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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T 6
<i>Handwritten: H0</i>	EA	CHANG, C., <i>et al.</i> , "Production of Hepatitis B Virus <i>in vitro</i> by Transient Expression ...," <i>EMBO J.</i> , 6(3):675-680 (1987).	
	EB	CHANG, C.-N., <i>et al.</i> , "Deoxycytidine Deaminase-resistant Steroisomer is the Active Form of (+)-2'-3'-Thiacytidine in the Inhibition of Hepatitis B Virus Replication," <i>J. Biol. Chem.</i> , 267(20):13938-13942 (1992).	
	EC	CHANG, C.-N., <i>et al.</i> , "Biochemical Pharmacology of (+) and (-)-2',3'-Dideoxy-3'Thioacytidine as Anti-Hepatitis B Virus Agents," <i>J. Biol. Chem.</i> , 267(31):22414-22420 (1992).	
	ED	CHU, C.K., <i>et al.</i> , "An Efficient Total Synthesis of 3'-Azido-3'-Deoxythymidine (AZT) and 3'-Azido-2',3'-Dideoxyuridine (AZDDU, CS-87) from D-Mannitol," <i>Tetrahedron Lett.</i> , 29(42):5349-5352 (1988).	
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	EF	CHU, <i>et al.</i> , "Asymmetric Synthesis of Enantiomerically Pure (-)-(1'R,4'R)-Dioxolane-thymine and Its Anti-HIV Activity," <i>Tetrahedron Letters</i> , 32(31):3791-3794 (1991).	
	EG	CHU, <i>et al.</i> , "Comparative Activity of 2',3'-Saturated and Unsaturated Pyrimidine and Purine Nucleosides ...," <i>Biochem. Pharm.</i> 37(19):3543-3548 (1988).	
	EH	CHU, <i>et al.</i> , "Enantiomeric Synthesis of (+)-BCH-189[(+)-(2S,5R)-1-(Hydroxymethyl) 1,3-oxathiolane-5-yl]cytosine] from D-Mannose and Its Anti-HIV Activity," <i>J. Org. Chem.</i> , 56:6503-6505 (1991).	
	EI	CHU, <i>et al.</i> , "Synthesis and Anti-HIV and Anti-HBV Activity of Enantiomerically Pure Oxathiolane Nucleosides," <i>Antiviral Research</i> , 17(S1):2 (March 1992).	
	EJ	CHU, <i>et al.</i> , "Synthesis and Biological Evaluation of D-(2S) and L-(2R)-1,3 Oxathiolanyl-and D-(2R)-and L-(2S)-1,3-Dioxolanyl-Nucleosides as Anti-HIV and Anti-HBV Agents," <i>Antiviral Research</i> , 30(S1):192 (April 1993).	
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	EL	CRETTON, E., <i>et al.</i> , "Catabolism of 3'-Azido-3'-Deoxythymidine in Hepatocytes and Liver Microsomes, with Evidence of Formation of 3'-Amino-3'-Deoxythymidine a Highly Toxic Catabolite for Human Bone Marrow Cells," <i>Molecular Pharmacology</i> , 39:258-266 (1991).	
	EM	CRETTON, E., <i>et al.</i> , "Pharmokinetics of 3'-Azido-3'-Dexoythymidine and its Catabolites and interactions with Probenecid in Rhesus Monkeys," <i>Antimicrobial Agents and Chemotherapy</i> , 35(5):801-807 (1991).	
<i>Handwritten: VNO</i>	EN	DI BISCEGLIE, A.M., <i>et al.</i> , "Hepatocellular Carcinoma," NIH Conference, <i>Annals of Internal Medicine</i> , 108:390-401 (1988).	

Examiner Signature	<i>Handwritten: David R...</i>	Date Considered	12-6-04
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				Application Number	10/672,585
				Filing Date	September 26, 2003
				First Named Inventor	Gosselin, <i>et al.</i>
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	6	of	9	Attorney Docket Number	18085.105102 EMU 120 CIP 3

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<i>Handwritten mark</i>	FA	DOONG, S.-L., <i>et al.</i> , "Inhibition of the Replication of Hepatitis B virus <i>in vitro</i> by 2',3'-Dideoxy-3'-Thiacytidine and Related Analogues," <i>Natl. Acad. Sci. USA</i> , 88:8495-8499 (1991).	
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<i>Handwritten mark</i>	FO	KIM, H.O., <i>et al.</i> , "1,3-Dioxolanylpurine Nucleosides (2R,4R) and (2R,4S) with Selective Anti-HIV-1 Activity in Human Lymphocytes," <i>J. Med. Chem.</i> , 36(1):30-37 (1993).	

Examiner Signature	<i>Handwritten Signature</i>	Date Considered	12-6-04
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Sheet	7	of	9	Attorney Docket Number	18085.105102 EMU 120 CIP 3

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* HJ ↓	GA	KIM, H.O., <i>et al.</i> , "Potent Anti-HIV and Anti-HBV Activities of (-)-L-β-Dioxolane-C and (+)-L-β-Dioxolane-T and Their Asymmetric Syntheses," <i>Tetrahedron Lett.</i> , 33(46):6899-6902 (1992).	
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			First Named Inventor	Gosselin, <i>et al.</i>	
			Group Art Unit	Unassigned	
			Examiner Name	Unassigned	
Sheet	8	of	9	Attorney Docket Number	18085.105102 EMU 120 CIP 3

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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

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AO	HA	PERIGAUD, C., <i>et al.</i> , "Equal Inhibition of the Replication of Human Immunodeficiency Virus in Human T-cell Culture by dda Bis(SATE)phosphotriester and 3'-Azido-2',3'-dideoxythymidine," <i>Biochem. Pharmacol.</i> 48(1):11-14 (July 5, 1994).	
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HN	HN	SOUDEYNS, H., <i>et al.</i> , "Anti-Human Immunodeficiency Virus Type 1 Activity and Vitro Toxicity of 2'-Deoxy-3'-Thiacytidine...", <i>Antimicrob. Agents and Chemother.</i> , 35(7):1386-1390 (1991).	

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<i>Handwritten: H/D</i>	IA	SPADARI, <i>et al.</i> , "L-Thymidine Is Phosphorylated by Herpes Simplex Virus Type 1 Thymidine Kinase and Inhibits Viral Growth" <i>J. Med. Chem.</i> , 35: no. 22, 4214-4220, (1992).	
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	IH	VOLK, W.A., editor, "Hepatitis," <i>Essentials of Medical Microbiology</i> , J.B. Lippincott Company, (Philadelphia/Toronto) 2 nd Ed., pp. 609-618 (1982).	
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	IK	WILSON, L.J., <i>et al.</i> , "A General Method for Controlling Glycosylation Stereochemistry in the Synthesis ...," <i>Tetrahedron Lett.</i> , 31(13):1815-1818 (1990).	
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<i>Handwritten: H/D</i>	IN	ZHU, Z., <i>et al.</i> , "Cellular Metabolism of 3'-Azido-2',3'-Dideoxyuridine with Formation of 5'-O-Diphosphohexase ..." <i>Molecular Pharmacology</i> , 38:929-938 (1990).	

Examiner Signature	<i>Handwritten: Howard Chen</i>	Date Considered	12-6-04
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